

Sector #



PATENT
ATTORNEY DOCKET NO.: 046700-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Sam KINNEY <i>et al.</i>)	
)	
Application No.: 09/282,156)	Group Art Unit: 2761
)	
Filed: March 31, 1999)	Examiner: Unassigned
)	
For: METHOD AND SYSTEM FOR)	
CONDUCTING ELECTRONIC)	
AUCTIONS WITH NET PRESENT)	
VALUE BIDDING)	

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing parts of Application (PTO-1533) mailed April 23, 1999.

A copy of the Notice To File Missing Parts Of Application-Filing Date Granted (Form PTO-1533) is enclosed.

2. Declaration Or Oath

☒ [x] No declaration or oath was filed. Enclosed is the original Declaration for Patent Application.

☐ [] The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ [] The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

- ☒ Verified Statement(s) that this is a filing by a small entity
☒ is attached.

☐ was filed on _____.

5. Fee Calculation

Basic Fee: Patent Application-\$760.00 Design Application-\$310.00				\$ 760.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	32 - 20 =	12	\$18.00 each =	+ 216.00
Independent Claims	5 - 3 =	2	\$78.00 each =	+ 156.00
Multiple dependent claim(s), if any			\$260.00	+
Missing Parts Surcharge Fee			\$130.00	+ 130.00
SUB-TOTAL =				1262.00
Reduction by 1/2 for filing by a small entity				- \$ 631.00
SUB-TOTAL =				631.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d))			\$130.00	+
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d))			\$130.00	+
TOTAL FILING FEE =				\$ 631.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

Extension of time fee due with this request: \$ _____

If an additional extension of time is required, please consider this a Petition therefor.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:	Completion Fees	<u>\$ 631.00</u>
	Extension Fees	<u>\$ _____</u>
	Recordation Fees	<u>\$ 40.00</u>
	Total Fee Due	<u>\$ 671.00</u>

☒ Enclosed is a check in the amount of \$671.00 representing the total fee due.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☒ Power of Attorney by Assignee including Certificate Under 37 CFR § 3.73(b).
- ☒ Request for Corrected Filing Receipt.
- ☒ Recordation Form Cover Sheet with Assignment.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Duane S. Kobayashi
Reg. No. 41,122

Date: May 24, 1999

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, N.W.
Washington, D.C. 20036
(202) 467-7000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/282,156	03/31/99	KINNEY	S 046700-5003

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON DC 20036-5859

0242/0423



NOT ASSIGNED

2761

DATE MAILED: 04/23/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE** to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 2126.00

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 990.00 for 55 total claims over 20.

\$ 546.00 for 7 independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Edisna Evans

Customer Service Center
Initial Patent Examination Division (703) 308-1202

00000045 09282156
05/25/1999 VMM11
01 FU:202
02 FU:205
03 FU:208